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2
3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**

5 IN THE MATTER OF ENFORCEMENT)
6 ACTION AGAINST)

PDC CASE NO.: 01-199

7) **FINAL ORDER IMPOSING FINE**
8)
9)

Tacoma School District,

Respondent.

10 The Washington State Public Disclosure Commission (Commission) conducted an
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
12 October 23, 2001.

13 The Commission conducted the hearing to consider the stipulation between the parties
14 as to facts, violations and penalty, and to consider whether violations occurred and what, if
15 any, penalty should be assessed.

16 The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol
17 Way South, in Olympia, Washington. The Respondent appeared for the hearing through Susan
18 K. Schreurs, General Counsel. The Staff appeared through F. Neil Gorrell, Assistant Attorney
19 General.

20 The Commission heard oral argument. The Commission considered the Report of
21 Investigation dated August 22, 2001, the Notice of Administrative Charges issued on August
22 30, 2001, and the Stipulation of Facts, Violations and Penalty dated October 23, 2001.

23 The parties stipulated that the Report of Investigation and Notice of Administrative
24 Charges contained accurate statements of fact. The Parties further stipulated that based upon
25

1 the stipulated facts, the Commission would likely find multiple violations of RCW
2 42.17.680(4).

3 Based on this record, THE COMMISSION ACCEPTS THE STIPULATION OF
4 FACTS, VIOLATIONS AND PENALTY. THE COMMISSION ORDERS that the
5 Respondent has committed multiple violations of RCW 42.17.680(4).

6 THE COMMISSION FURTHER ASSESSES a total civil penalty of \$1,000.00 against
7 the Respondent, \$500.00 of which is suspended on the condition that for a period of four years
8 from the date of entry of this Final Order, there are no further violations of any provision of
9 RCW 42.17.

10 The entire non-suspended portion of the penalty shall be paid within 60 days from the
11 date of entry of this Final Order.

12 Any party may ask the Commission to reconsider this final order. Parties must place
13 their requests for reconsideration in writing, include the specific grounds or reasons for the
14 request, and deliver the request to the Public Disclosure Commission Offices within 10 days of
15 the date that the Commission serves this order upon the party.

16 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
17 Commission is subject to judicial review under the Administrative Procedures Act, chapter
18 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed with
19 the superior court in Thurston County or the petitioner's county of residence or principal place
20 of business. The petition for judicial review must be served on the Public Disclosure
21 Commission and any other parties within 30 days of the date that the Public Disclosure
22 Commission serves this final order on the parties.

23 If reconsideration is properly sought, the petition for judicial review must be served on
24 the Public Disclosure Commission and any other parties within 30 days after the Commission
25 acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the Public Disclosure

1 Commission is deemed to have denied the petition for reconsideration if, within twenty days
2 from the date the petition is filed, the agency does not either dispose of the petition or serve the
3 parties with written notice specifying the date by which it will act on the petition. Pursuant to
4 RCW 34.05.470(5), the Respondent is not required to ask the Public Disclosure Commission to
5 reconsider the final order before seeking judicial review by a superior court.

6 The Commission will seek to enforce this final order in superior court under RCW
7 42.17.395-397, and recover legal costs and attorney's fees, if the penalty remains unpaid and
8 no petition for judicial review has been filed under chapter 34.05 RCW. This action will be
9 taken without further order by the Commission.

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11 DATED THIS 29th day of October, 2001.

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13 FOR THE COMMISSION:

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15 /s/

16 VICKI RIPPIE, Executive Director
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